

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Valentina Concha-Toro	Team: Squad #15	CCRB Case #: 202002364	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 01/11/2020 5:00 PM	Location of Incident: 94 Precinct stationhouse	Precinct: 94	18 Mo. SOL 7/11/2021	EO SOL 2/25/2022	
Date/Time CV Reported Tue, 01/21/2020 3:44 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 01/21/2020 3:44 PM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Asad Ullah	07269	963785	094 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Asad Ullah	Abuse: Police Officer Asad Ullah did not process § 87(2)(b) complaint regarding officers.				

Case Summary

On January 21, 2020, § 87(2)(b) § 87(2)(b) filed this complaint to the CCRB while providing information for CCRB case 202000299. On March 26, 2020, the cases were split.

On January 11, 2020, at approximately 5:00 p.m., § 87(2)(b) § 87(2)(b) and her friend, § 87(2)(b) § 87(2)(b) arrived at the 94th Precinct stationhouse after witnessing an arrest. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) entered the stationhouse and sat down on a bench in the main lobby area. PO Asad Ullah of the same command approached § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) asked PO Ullah how to file a complaint regarding officers. PO Ullah pointed at a poster on the stationhouse wall and told § 87(2)(b) § 87(2)(b) that she could either call or submit a complaint online (**Allegation A: Abuse of Authority** – § 87(2)(g) § 87(2)(b) PO Ullah told § 87(2)(b) § 87(2)(b) he was going to get a supervisor, however, no supervisor approached § 87(2)(b) § 87(2)(b) approached the switchboard operator desk and told the operator that she wanted to file a complaint. The operator called a number and gave the phone to § 87(2)(b) § 87(2)(b) There was no answer. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) left the stationhouse.

Surveillance footage from two cameras at the 94th Precinct stationhouse were obtained by the investigation (Board Review 02).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Asad Ullah did not process § 87(2)(b) § 87(2)(b)s complaint regarding officers.

It is undisputed that § 87(2)(b) § 87(2)(b) spoke to PO Ullah. PO Ullah told § 87(2)(b) § 87(2)(b) that he would have a supervisor speak with § 87(2)(b) § 87(2)(b) PO Ullah walked away from § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) without taking any information or providing them with any paperwork in order to file a complaint. No supervisor spoke with § 87(2)(b) § 87(2)(b) § 87(2)(b) § 87(2)(b) walked to the switchboard operator who was a civilian employee (Board Review 01), and stated that she wanted to file a complaint. The switchboard operator dialed a number and gave the phone to § 87(2)(b) § 87(2)(b) There was no answer. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) exited the stationhouse.

Video from the 94th Precinct stationhouse lobby (Board Review 02) captures the main entrance of the stationhouse. At 4:56:51 p.m., § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) enter the stationhouse and sit on a bench. PO Ullah approaches § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) PO Ullah appears to have a conversation with § 87(2)(b) § 87(2)(b) for approximately seven minutes. PO Ullah lifts his arm and points toward the door and walks away. It is apparent from the video that there are multiple posters on the wall beside the stationhouse doors. § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) remain on the bench for approximately 24 minutes. At 5:29:25 p.m., § 87(2)(b) § 87(2)(b) then walks to the right side of the barrier within the stationhouse and moves in and out of the frame. § 87(2)(b) § 87(2)(b) appears with a telephone to her ear. § 87(2)(b) § 87(2)(b) appears to be speaking to someone on the other side of the barrier but they are not captured in the video.

§ 87(2)(b) § 87(2)(b) during her CCRB statement (Board Review 03) stated that she asked PO Ullah if there was a way to file a complaint about an officer. PO Ullah pointed to a poster on the wall of the stationhouse and told § 87(2)(b) § 87(2)(b) that to file a complaint she needed to call or file it online. PO Ullah did not take any of § 87(2)(b) § 87(2)(b)s contact information or write down any of their conversation. PO Ullah did not tell § 87(2)(b) § 87(2)(b) any other information regarding how she could proceed to file a complaint. § 87(2)(b) § 87(2)(b) approached the telephone switchboard and spoke to a female who § 87(2)(b) § 87(2)(b) did not believe was an officer. § 87(2)(b) § 87(2)(b) did not know whom the female operator dialed for § 87(2)(b) § 87(2)(b) to submit her complaint.

§ 87(2)(b) stated (Board Review 04) that § 87(2)(b) had told PO Ullah she wanted to file a complaint. PO Ullah told § 87(2)(b) that to file a complaint she needed to speak with a supervisor. PO Ullah did not provide any other information regarding how to file a complaint.

PO Ullah stated (Board Review 05) that he had been on an administrative assignment logging an arrest from the previous day and was involved in the arrest that § 87(2)(b) and § 87(2)(b) witnessed only to assist escorting the individual to the stationhouse. PO Ullah continued logging his arrest, walked to the arrest processing room to use the printer, and saw § 87(2)(b) and § 87(2)(b) on the bench. § 87(2)(b) asked PO Ullah general questions about police procedure regarding individuals with mental health issues. PO Ullah explained to § 87(2)(b) that they are provided medical assistance when needed. § 87(2)(b) began asking questions regarding the arrest she had observed but PO Ullah did not recall what § 87(2)(b) said specifically. PO Ullah told § 87(2)(b) that he had not been involved in the incident other than to escort the individual to the stationhouse. PO Ullah told § 87(2)(b) he would inform the supervisor that she had questions regarding the arrest. PO Ullah walked away because he needed to return to process his arrest and he informed the supervisor on scene of the arrest that § 87(2)(b) was at the stationhouse regarding the arrest. PO Ullah was not aware of whether any supervisor spoke to § 87(2)(b). PO Ullah did not see § 87(2)(b) again in the stationhouse.

PO Ullah did not believe there was any conversation between himself and § 87(2)(b) regarding filing complaints. PO Ullah did not believe § 87(2)(b) asked him if there was a way to file a complaint at the stationhouse. If § 87(2)(b) had asked him, then he would have pointed to a poster on the wall in the stationhouse that explains the ways in which a complaint could have been filed or he would have directed her to the switchboard where someone would be able to assist her because he was busy completing his arrest. PO Ullah did not believe he either pointed at the poster or assisted § 87(2)(b) in directing her toward an individual in the stationhouse who could assist her. PO Ullah was shown the stationhouse video and identified himself as the officer speaking to § 87(2)(b). PO Ullah identified himself as the officer pointing at the wall but did not recall he pointed to a poster on the wall during the incident because he did not recall any conversation about filing a complaint.

§ 87(2)(b), § 87(2)(g)

According to the NYPD Patrol Guide Section 207-31 (Board Review 06), complaints against uniformed members of the service may be made at any patrol precinct. If a civilian wishes to file a complaint at a stationhouse, an officer should interview the complainant, provide a civilian complaint report and provide assistance if needed to complete the form. If an individual at the stationhouse does not want to immediately make a complaint, they should be provided with a civilian complaint report and informed that they can submit the report in person, taken over the telephone, or sent by mail to any patrol precinct.

§ 87(2)(b), § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one previous CCRB complaint where she was a complainant/witness (Board Review 07):
 - § 87(2)(b)
- PO Ullah has been a member-of-service for three years and has been a subject to three prior CCRB complaints and seven allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- This case was not mediated due to it being split from a case unsuitable for mediation.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 08).
- As of September 29, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (Board Review 09).

Squad No. 15

Investigator:	<u>Valentina Concha-Toro</u>	<u>Inv. Valentina Concha-Toro</u>	<u>October 23, 2020</u>
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date